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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/084,330	02/28/2002	Thomas Joseph McBlain	P21781	5631

7055 7590 07/11/2006

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RESTON, VA 20191

EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 07/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/084,330

Applicant(s)

MCBLAIN ET AL.

Examiner

Gerald Gauthier

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/30/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claim(s) 24-46** are rejected under 35 U.S.C. 102(e) as being anticipated by Koch et al. (US 6,804,716 B1).

Regarding **claims 24 and 35**, Koch discloses a service control point for controlling an outbound call using a subscriber's outbound call rule information (FIG. 1 and column 1, lines 18-20), comprising:

a receiver that receives the outbound call rule information (column 3, lines 56-60);

a memory that stores the outbound call rule information (column 4, lines 1-7);
and

a sender that sends at least one service control point control message based on action information when a switch message is received and a condition based on condition information is met, the switch message being received from a switch at the

service control point in response to the outbound call being placed to a dialed number and received at the switch, and the service control point control message being sent to the switch for controlling the outbound call received at the switch (column 4, lines 49-66);

wherein the stored outbound call rule information is configurable by a subscriber and is comprised of at least one rule, and wherein each rule is comprised of a portion of the action information and a portion of the condition information (column 5, lines 46-60).

Regarding **claims 25 and 37**, Koch discloses a service control point, wherein the condition information further comprises at least one condition related to at least a portion of the dialed number (column 5, lines 46-60).

Regarding **claims 26 and 38**, Koch discloses a service control point, wherein the action information comprises information related to forwarding the outbound call to a number other than the dialed number (column 5, lines 46-60).

Regarding **claims 27 and 39**, Koch discloses a service control point, wherein the action information comprises information related to submitting a personal identification number (column 5, lines 46-60).

Regarding **claims 28 and 40**, Koch discloses a service control point, wherein the action information comprises information related to sending a page to a paging device (column 5, lines 46-60).

Regarding **claims 29 and 41**, Koch discloses a service control point, wherein the action information comprises information related to disallowing the outbound call (column 5, lines 46-60).

Regarding **claims 30 and 42**, Koch discloses a service control point, wherein the action information comprises information related to prepending at least one prefix number to a dialed number sequence (column 5, lines 46-60).

Regarding **claims 31 and 43**, Koch discloses a service control point, wherein the action information further comprises a dial-around code, and wherein the action further comprises routing the outbound call via a carrier associated with the dial-around code (column 5, lines 46-60).

Regarding **claims 32 and 44**, Koch discloses a service control point of claim 25, wherein at least one rule comprises a plurality of actions (column 5, lines 46-60).

Regarding **claims 33 and 45**, Koch discloses a service control point of claim 24, wherein at least one rule comprises a plurality of conditions (column 5, lines 46-60).

Regarding **claims 34 and 46**, Koch discloses a service control point, wherein the outbound call rule information comprises a plurality of rules (column 5, lines 46-60).

Regarding **claims 36**, Koch discloses a method, further comprising: receiving at the service control point from the switch the switch message in response to the outbound call being placed to a dialed number (column 5, lines 46-60); and

sending from the service control point to the switch the service control point control message, wherein the switch initiates an action based on the action information (column 5, lines 46-60).

Response to Arguments

3. Applicant's arguments with respect to **claim(s) 24-46** have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2614

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


GERALD GAUTHIER
PATENT EXAMINER

Gerald Gauthier
Examiner
Art Unit 2614

GG
June 30, 2006